

**WESTMINSTER TRAFFIC COMMISSION  
MINUTES OF REGULAR MEETING  
February 24, 2009**

**CALL TO ORDER**

A regular meeting of the Westminster Traffic Commission was called to order by Commissioner Hamade on Tuesday, February 24, 2009, at 5:30 p.m. at the City Council Chambers, 8200 Westminster Boulevard, Westminster, California.

**SALUTE TO FLAG**

Commissioner Hamade led the members of the audience in the Salute to the Flag.

**ROLL CALL**

Commissioners Present: Hamade, Nguyen, Fisher, Robbins, Cruz

Commissioners Absent: None.

**STAFF PRESENT**

Adolfo Ozaeta, Associate Civil Engineer; Sergeant Mark Nye, Westminster Police Department; Sonya Radziuk, Westminster Police Department; Dora Salud, Secretary.

**APPROVAL OF  
MINUTES**

The minutes of the Traffic Commission's regular meeting of January 27, 2009 were approved. (5-0)

**ITEMS TO BE  
CONSIDERED**

The first item to be considered at this evening's meeting was SB 1407, Request to Increase Parking Fines.

**REQUEST TO INCREASE  
PARKING FINES**

Ms. Radziuk opened with the "Request to Increase Parking Fines" and noted that due to the passing of Senate Bill 1407 on January 1, 2009, an increase in fines of \$4.50 per citation is due to an immediate and critical need for the State Court Facility fund. Other cities throughout California will also subsequently increase their fines by \$4.50 to offset their cost.

Ms. Radziuk provided documentation which compares the City of Westminster's parking fines to other agencies in Orange County. It is clearly documented that our City is below average in most categories including Street Sweeping, Alley Parking, Oversized Commercial Vehicles, and Blocking Driveway.

The parking fee increase will offset the City's parking revenue loss. The two major citations impacting the City's general fund are Street Sweeping and Oversized Commercial Vehicles; these fines are recommended for an additional increase based on a county-wide comparison.

**STAFF'S  
RECOMMENDATION**

Ms. Radziuk noted that oversized commercial vehicles are parking in unrestricted areas and are more than willing to pay the lower citation fees; it is less expensive and more convenient for them to park on City streets rather than pay a larger sum for gas and monthly storage fees.

Staff requested approval for an increase of \$4.50 to offset the Senate Bill and to increase the fine for Street Sweeping and Oversized Commercial Vehicles as they are below average.

Mr. Ozaeta added that that if the Commission approved the cost for the increase, it would not result in a loss of money for the City or any gain, as the actual fine is not being increased. He also recommended an increase in the fine for Street Sweeping and Oversized Commercial Vehicles, as they have not been updated in over a decade.

Chairman Hamade opened this item up for discussion.

Darrell Nolta spoke in opposition to increasing the parking fines. He was concerned with what the actual parking fines are as he did not see it listed in the illustration. Secondly, he had referenced Prop 218 which deals with taxes and fees. He stated that the fine should not be larger than the actual fee and that the City cannot arbitrarily charge a fee. He is one of the citizens who had lodged complaints on the issue of oversized commercial trucks. He noted that Fountain Valley has dramatically increased their fees, and stated that he sees why other motorists would park their oversized vehicles in the City of Westminster. Mr. Nolta supported the increase for Oversized Commercial Vehicles and believes that we need to be consistent across the board in terms of our base fines compared to the averages. We must have legitimate proof to support the charges and should increase the base fee in order to stop the problem.

Commissioner Robbins added that Prop 218 states that cities cannot charge fees that are more than what the service cost is; however, he reminded everyone that this does not refer to fines.

Discussion ensued among the Commissioners regarding the staff recommendation.

**MOTION**

Vice Chairman Fisher moved to approve staff's recommendation for the \$4.50 increase, and a median

increase for Street Sweeping and Oversized Commercial Vehicle, seconded by Chairman Hamade.

## **VOTE**

The motion carried by a 5-0 vote.

**T.C. 88-116**

**Jackson St & 23<sup>rd</sup> St**

Mr. Ozaeta presented a brief presentation on a "Request to Install All-Way Stop Signs" at the Intersection of Jackson Street and 23<sup>rd</sup> Street" on behalf of Commissioner Nguyen. The concern of the resident is controlling the speed and the safe crossing of pedestrians. Jackson Street is a residential north/south street and 23<sup>rd</sup> Street is an east/west residential street. There is a car dealership at the northwest corner, multi-family condominiums at the northeast corner, a church on the southwest corner, and single family homes on the southeast corner.

State and Federal guidelines mandate the proper installation of all-way stop signs in which certain criteria must be satisfied in order for the location to be warranted.

The exhibits and data showed a 12-month accident study. Staff collected traffic volume data for a seven day period; the traffic volume did not meet the minimum required volume. The second part of the study included the 85<sup>th</sup> percentile speed, which averaged 31 mph, compared to a posted residential speed limit of 25 mph. Exceptions would be made to traffic requirements if speed is in excess of 40 mph. Traffic volume must be taken into consideration on all streets before placing all-way stops, and traffic should be proportionately balanced by direction.

## **STAFF'S RECOMMENDATION**

Mr. Ozaeta stated the results did not meet the State and Federal mandates to implement the all-way stop signs, and recommended the Traffic Commission deny the request at Jackson Street and 23<sup>rd</sup> Street.

Discussion ensued among the Commissioners regarding the staff recommendation.

Robert Longpre, property owner since 1967 at 13590 Beach Boulevard supported the installation of the all-way stops. He owns three parcels on 23<sup>rd</sup> Street between Beach Boulevard and Jackson Street. He has made three appearances at the Traffic Commission (1967, 1987 & 1995) on this same subject due to traffic from the Lexus dealership, service department, body shop, church, auto transports and excessive speeding on Jackson Street.

Darrell Nolta also supported the installation and mentioned that Officer Stephen Phillips was killed in a motorcycle collision near the subject intersection. Sergeant Nye verified the incident.

Discussion ensued among the Commissioners regarding staff's and the public's recommendation.

## **MOTION**

Chairman Hamade moved to approve the all-way stop signs at the subject location, and consider rescinding parking restrictions at a later date, seconded by Commissioner Robbins.

## **VOTE**

The motion carried by a 5-0 vote.

## **T.C. 75-106**

### **Middletown at Newland**

Mr. Ozaeta introduced "Request to Install Traffic Calming Measures on Middletown Lane at Newland Street". This item was previously brought to the Traffic Commission in August 2008 by Cheryl Williams and other residents residing in the area.

There are two main points to access this neighborhood: Newland Street at Middletown Lane and Hazard Avenue at Monroe Street, and they are controlled by stop signs on the minor streets. The north and south traffic is not expected to stop at these intersections.

There is a lot of activity in this particular area as it appears to have become a school drop-off area not designated by the schools or City. In addition, vehicles are double parking, an ice cream truck parks at the corner, and there are children in the general area.

Lieutenant Panella and Mr. Ozaeta had spent two hours one evening monitoring the street. They both agreed that some traffic engineering would be beneficial, as well as enforcement.

Sergeant Nye and his officers monitored traffic at the location for 16 hours over an eight day period using radar, and also monitored compliance to the stop signs. In this time frame, they issued 16 tickets and two warnings; however, 50% of those cited were actual residents. He recommended periodic enforcement in this neighborhood to help reduce speed.

Mr. Ozaeta explained to the Commission staff's reasoning for this item being brought up again from last August, as the

**STAFF'S  
RECOMMENDATION**

residents didn't feel there was any remedy to the problem that existed. Residents requested half closures as presented in Exhibit B. He further explained the pros and cons of a closure.

Staff's recommendation was to deny the request for traffic calming measures at the intersection of Newland Street and Middletown Lane.

Discussion ensued among the Commissioners regarding staff's and the public's recommendation.

Cheryl Williams, (14422 Monroe Lane), spoke in favor of Traffic Calming Measures, as she has resided at this location for 25 years. She noted that the installation of the new pavement and turn signals has not helped with traffic, it only looks nicer. She further noted that vehicles are always parked on the corner curve, and motorists cannot make the right turn. The danger is due to the parked vehicles, the ice cream truck, and children in the area, as it causes a blind spot. Secondly, motorists cannot make the left turn when coming out of the residence due to the oncoming traffic. She was not in favor of Keep Clear signs or speed humps, and is hoping to work with the City for other alternatives. She is in favor of the street closure to stop all activity, as this area had previously been a cul-de-sac.

William Ray, (8521 Jennrich Avenue), spoke in favor of Keep Clear Signs as he lives on the other side of Newland. He felt it takes about 20 minutes to make a left or right onto Newland Street during certain times of the day.

Bert Bream, (14432 Monroe Lane), has resided here for 14 years and spoke in favor of traffic calming due to the number of people that blow through the stop sign, speeding about 95% of the time. He recommended a yield sign on the southbound side of Middletown and a merging traffic sign for the southwest bound area of the street.

Chairman Hamade explained that the police have increased enforcement, researched traffic safety enhancement, performed a six month evaluation, and installed center line striping and curve ahead signs. Chairman Hamade opened discussion for recommendations.

Commissioner Robbins suggested for law enforcement to continue as needed, during school times and after hours. He would like staff to get back with the Commission once a

reply is received from the Orange County Fire Authority regarding speed humps mentioned in a previous meeting.

Sergeant Nye will continue random enforcement at different hours of the day.

**MOTION**

Commissioner Nguyen moved to deny and revisit again in six months, and noted that the police should perform random and saturated enforcement at times, seconded by Vice Chairman Fisher.

**VOTE**

The motion carried by a 5-0 vote.

**TC 96-100**

**Newland & Jennrich Ave.**

Commissioner Nguyen requested to remove himself from the dias since he resides near the subject area. Mr. Ozaeta requested that only Commissioner Cruz excuse himself, since he initiated this item the previous month. He asked four Commissioners to give their recommendations on the subject.

Mr. Ozaeta brought forth the Request to Install "Keep Clear" pavement markings on the east side of Newland Street at Jennrich Avenue.

Mr. Ozaeta discussed the City's criteria for installing "Keep Clear" markings. The criteria were not satisfied based on staff's engineering study.

**STAFFS**

**RECOMMENDATION**

Mr. Ozaeta requested that the "Keep Clear" be denied as the criteria are not met.

Discussion ensued among the Commissioners regarding staff's and the public's recommendation.

Vice Chairman Fisher had studied the area and did not find traffic backing up for more than a minute.

Modesto Alcala (14321 Riata Street) spoke in favor for a "Keep Clear" marking.

Sergeant Nye spoke in opposition, as he does not see a significant impact in this area, aside from the regular school drop offs and regular rush hour.

**MOTION**

Chairman Hamade agreed with staff's recommendation and moved to deny the request for Keep Clear Pavement Markings as the criteria was not met.

<b>VOTE</b>	The motion carried by a 5-0 vote.
<b>TIME CHANGE REQUEST</b>	Chairman Hamade moved for the Traffic Commission Meetings to begin at 6:00 pm, seconded by Commissioner Nguyen.
<b>VOTE</b>	The motion carried by a 5-0 vote.
<b>NEW BUSINESS</b>	There were no "New Business" items presented to the Commission at tonight's meeting.
<b>OLD BUSINESS</b>	There were no "Old Business" items presented to the Commission at tonight's meeting.
<b>INFORMATION AND REPORTS</b>	There were no "Information and Reports" presented to the Commission at tonight's meeting.
<b>ORAL COMMUNICATIONS</b>	<p>Darrel Nolta commented on speeding along Brookhurst Street as well as Casino Buses parking along Brookhurst Street and Bishop Street.</p> <p>Mr. Ozaeta explained that vehicles parked there will be cited if they exceed the 48 hour limit. Staff will be setting up a task force to specifically target this.</p> <p>Sergeant Nye discussed commercial enforcement. The Police Department now has two officers specially trained to perform this type of enforcement issues three times a week. The California Public Utilities Commission governs these buses, and Sergeant Nye is discussing this matter with to obtain additional information on enforcement.</p> <p>Mr. Ozaeta provided a brief overview on the "Moran &amp; Weststate Comprehensive Plan." The study may lead to a rezoning of existing land use in the subject area.</p>
<b>WRITTEN COMMUNICATIONS</b>	There were no "Written Communications" items presented to the Commission at tonight's meeting.
<b>ITEMS COMMISSIONERS/ STAFF MAY WISH TO DISCUSS</b>	None.
<b>ADJOURNMENT</b>	There being no further business to come before the Commission at this time, the meeting was adjourned at 8:36 p.m.

Respectfully Submitted,

Marwan Youssef

Public Works Director/City Engineer

A handwritten signature in black ink, appearing to read 'Dora Salud', written over the printed name.

By: Dora Salud, Secretary